

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE: : CASE NO. 18-68220-PMB  
:   
DUWAN PITTMAN, : CHAPTER 7  
:   
Debtor. :   
\_\_\_\_\_ :

**NOTICE TO COURT OF DEBTOR'S FAILURE TO APPEAR AT CONTINUED  
SECTION 341 MEETING**

COMES NOW S. Gregory Hays, Chapter 7 Trustee (the "**Trustee**") for the bankruptcy estate of Duwan Pittman (the "**Estate**"), and files this *Notice to Court of Debtor's Failure to Appear at Continued Section 341 Meeting* (the "**Notice**"), and in support thereof respectfully shows the Court the following:

1. Debtor filed, *pro se*, a voluntary petition for relief (the "**Petition**") under Chapter 7 of Title 11 of the United States Code on October 31, 2018 (the "**Petition Date**"), thereby initiating Case No. 18-68220-PMB (the "**Case**").

2. On February 20, 2019, Debtor filed a motion to dismiss the case [Doc. No. 23] (the "**Motion**"), asking the Court to dismiss the Case because he was allegedly provided false information about filing the Case.

3. On February 21, 2019, the Court entered an order and notice [Doc. No. 24] (the "**Order and Notice**"), setting a hearing on the Motion for March 11, 2019 and also providing that Debtor would need to attend his continued Section 341 Meeting on February 27, 2019 before the Court would consider the Motion.

4. Trustee files this Notice to inform the Court that Debtor failed to attend the Section 341 Meeting on February 27, 2019.

5. In addition, Trustee files this Notice to provide the Court and Debtor notice that Trustee opposes the relief requested in the Motion. Among other possible recoveries, Trustee has identified an attestation issue with the security deed that encumbers Debtor's primary residence that Trustee believes will allow him to make a meaningful distribution to Debtor's unsecured creditors, including the currently filed claim for non-dischargeable student loan debts.

Respectfully submitted this 28th day of February, 2019.

ARNALL GOLDEN GREGORY LLP  
*Attorneys for Trustee*

By: /s/ Michael J. Bargar

Michael J. Bargar

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Atlanta, Georgia 30363-1031  
Phone: (404) 873-8500

### **CERTIFICATE OF SERVICE**

This is to certify that I have this day served the foregoing *Notice to Court of Debtor's Failure to Appear at Continued Section 341 Meeting* by depositing in the United States mail a copy of same in a properly addressed envelope with adequate postage affixed thereon to assure delivery to:

Office of the United States Trustee  
362 Richard B. Russell Building  
75 Ted Turner Drive, SW  
Atlanta, GA 30303

Duwan Pittman  
5521 Marbut Road  
Lithonia, GA 30058

This 28th day of February, 2019.

/s/ Michael J. Bargar  
Michael J. Bargar  
Georgia Bar No. 645709